Government of Saskatchewan

Annual Report 1984-85

Saskatchewan Rent Appeal Commission

86-02501/

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June 25, 1985.

To His Honour, The Honourable Frederick W. Johnson,
Lieutenant Governor of the Province of Saskatchewan.

Sir:

I have the honour to submit herewith the Annual Report of the Rent Appeal Commission for the fiscal year ending March 31, 1985.

Respectfully submitted,

Joan H. Duncan

Joan H. Duncan,
Minister Responsible for the
Rent Appeal Commission.

June 25, 1985.

To the Honourable Joan H. Duncan,
Minister Responsible for the
Rent Appeal Commission.

Dear Madam:

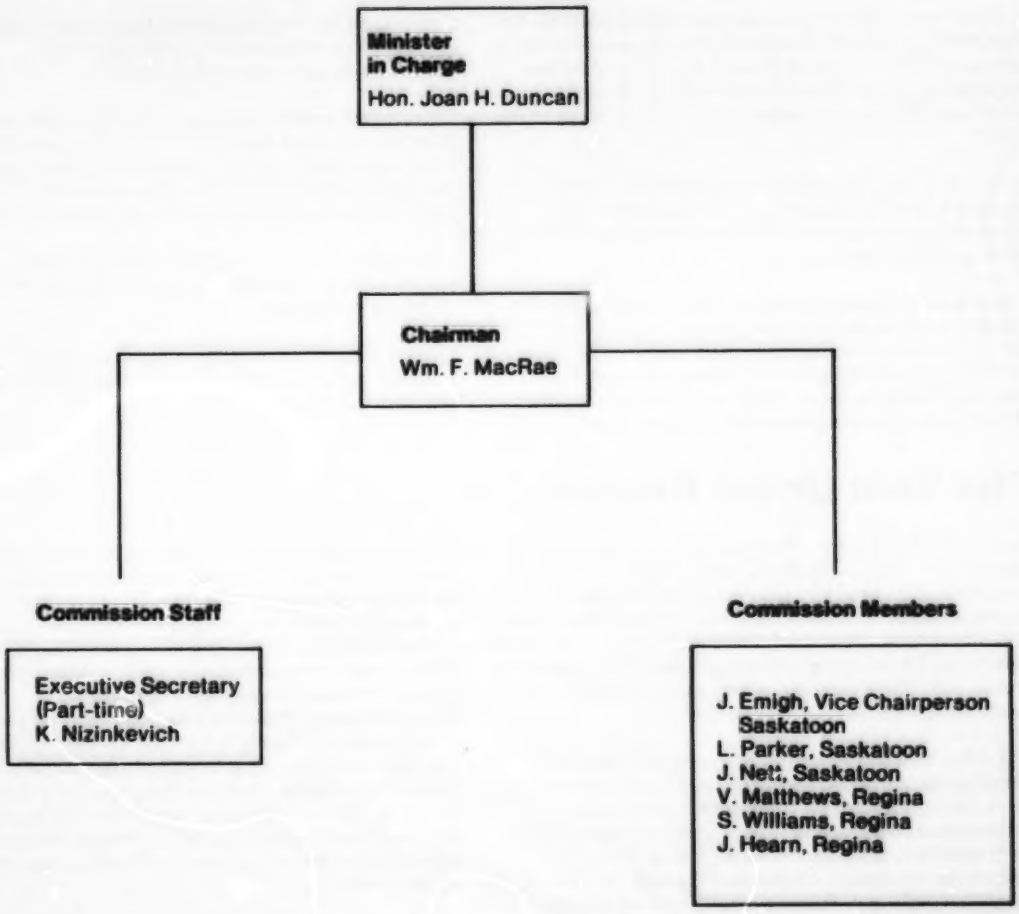
I have the honour to submit the Annual Report of the Rent Appeal Commission for the fiscal year ending March 31, 1985.

Respectfully submitted,

Dr. Wm. F. MacRae,
Chairman,
Rent Appeal Commission.

Rent Appeal Commission
Organization Chart

(March 31, 1985)



Introduction

The Rent Appeal Commission was established January 28, 1976 through an amendment to *The Residential Tenancies Act, 1973.*

Purpose and Operation of the Commission

The Rent Appeal Commission was established as an independent body to provide landlords and tenants with a process of appeal from orders issued by the Rentalsman or the Provincial Mediation Board. Decisions must be appealed within fifteen days of the order.

The Commission is presently composed of six members who are assigned to participate in and conduct the business of the Commission on a per diem basis as required.

The policy and practice of the Commission since its inception has been to hold hearings in the same community in which the premises under appeal are located. Usually no fewer than three and not more than five Commissioners hear each appeal. A policy of including Commissioners from Regina and Saskatoon for hearing panels has ensured uniformity in Commission decisions. Hearings of the Commission are open to the public.

The Commission is not bound by any findings of the Rent Review Board or the Office of the Rentalsman. The Commission determines the merits of each particular situation and issues a decision it deems to be just and equitable under the circumstances.

The Commission's policy is to provide written reasons for its decisions to all persons directly involved in appeals.

Orders of the Commission may be appealed by the affected persons to the Court of Appeal on a question of law or jurisdiction.

The Year Under Review

The Rent Stabilization Program, which took effect in December, 1983 brought about a number of changes. Regina and Saskatoon, previously under Rent Control, joined the list of 29 other communities under the rent review procedure. Rent increases in all these communities were limited to approximately 5 percent a year. All rent review decisions in the province are made by the Provincial Mediation Board.

It is clear that the intention of the Rent Stabilization Program is achieving its purpose. The process of landlord and tenant co-operation in setting rent increases at a guideline rate of approximately 5 per cent seems to have found acceptance. This observation is based on the fact that the number of appeals relating to rent increases is insignificant. When compared to the period prior to the introduction of the Rent Stabilization Program, it becomes more obvious that this feature of the program is working.

What is not so apparent, is the reason for the considerable growth in the number of appeals regarding rulings on disputes. These cases cannot be grouped under any easy identification beyond saying that they reflect the disagreements which run the full spectrum of landlord/tenant transactions. The key reason for the majority of these disagreements, however, resides in the fact that so many tenancies are arranged on verbal contracts. In a great many cases these verbal agreements find new interpretations as time goes on. For example, the failure to use an adequate check-in/check-out inventory leaves the parties in dispute offering subjective kinds of arguments in supporting their various claims.

Furthermore, there is a growing awareness within the renting community regarding the appeal options. This new awareness, no doubt, stems from the considerable public information program which introduced the Rent Stabilization Program.

Statistics

	1982-83	1983-84	1984-85
Appeals received	188	203	222
Appeals cancelled or withdrawn	15	16	9
	173	187	213
Backlog carried to next fiscal year	28	24	11
	145	163	202
Backlog completed from 1982-83	11	28	20
Total appeals completed	156	191	187